

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Business Meeting held November 6, 2006

A regular business meeting of the Lower Paxton Township Board of Supervisors was called to order at 7:35 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Lori Wissler and Dianne Moran, Planning and Zoning Officers; James Snyder, Herbert, Rowland and Grubic, Inc.; Jeffrey Staub, Dauphin Engineering Company; Timothy Mellott, Mellott Engineering, Inc.; Charles Courtney; and Mr. George Zimmerman.

Pledge of Allegiance

Mr. Hornung led the recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Crissman made a motion to approve the minutes of the October 2, 2006 special workshop meeting, and the October 3, 2006 business meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

Public Comment

No public comment was presented

Chairman and Board Member's Comments

No comments were presented by Board members.

Oath of Office to Police Officer

Chief Bair introduced the newest member of the Police Department, Mr. Steven Wertz who resides in Halifax, Pennsylvania. Mr. Wertz is the son of a retired State trooper, graduated

from Halifax High School, and received a Bachelor's Degree in Criminal Justice from Shippensburg University. He noted that Mr. Wertz was previously employed as a juvenile probation officer with Dauphin County Juvenile Probation Office. Mr. Wertz is currently enrolled in the Police Academy at Harrisburg Area Community College, and will graduate November 17, 2006.

Mr. Hawk swore in Steve Wertz as a police officer for Lower Paxton Township. .

Manager's Report

Mr. Wolfe explained that the Public Works Department is collecting leaves curbside, and the schedule is available at the Township Municipal Center or by going on-line at www.lowerpaxton-pa.gov.

Mr. Wolfe noted that the Parks and Recreation Department will be hosting the annual Christmas Tree Lighting Ceremonies on Friday, December 1st at 7 p.m. at the Friendship Community Center (FCC). In addition, the Breakfast with Santa events will be held on Saturdays, December 2nd and 9th starting at 9 a.m. Reservations are required for the breakfast events, and can be made by calling the FCC at 657-5635.

Mr. Blain noted that the special events that are held at the FCC are always very well run and he thanked Ms. Lynn Wuestner for her hard work.

Mr. Wolfe noted that on Friday, November 10, the FCC will honor all veterans by offering free use of the facility.

Old Business

Lease agreement between the Township and Linglestown Life United Methodist Church to permit the Township to construct and maintain a public parking lot on Church property

Mr. Hawk noted that Mr. Wolfe was very involved in putting this lease agreement together and requested him to make comments on the agreement. Mr. Wolfe explained that the lease will permit the Township to construct and operate, for 25 years, a parking lot of 60-spaces.

He noted that it will be a public parking lot, although it will also be available for the Linglestown Life United Methodist Church members to use for their overflow parking during high demand events. He noted that the Township will construct the lot by July 31, 2007.

Mr. Wolfe noted that the development of satellite parking is integral to the Village of Linglestown Action Plan which the Board of Supervisors' approved in 2003. He noted that this will be the second parking lot that the Township developed, the first being a lot of 25 to 30 spaces located in the southeast corner on land in Koons Park abutting Raspberry Alley. Mr. Wolfe noted that the agreement was ready for Board action.

Mr. Crissman made a motion to approve the Lease Agreement between the Township and Linglestown Life United Methodist Church to permit the Township to construct and maintain a public parking lot on Church property. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and all five supervisors voted aye.

Request from the Paxtonia Fire Company to purchase two Township vehicles

Mr. Hawk noted that the Township received a request from the Paxtonia Fire Company to purchase two used Township vehicles. He explained that the Paxtonia Fire Company has agreed to pay \$750 for each of the following vehicles: 2001 Ford Crown Victoria - 115,284 miles, and a 1999 Ford Crown Victoria – 121,347 miles.

Mr. Wolfe noted that a brief discussion occurred at the October 10th workshop meeting, and it was determined that the Paxtonia Fire Company was the only fire company interested in purchasing vehicles this year.

Mr. Crissman made a motion to approve the offer from the Paxtonia Fire Company to purchase two Township vehicles for \$750 each, for a total amount of \$1,500. Mr. Blain seconded the motion. Mr. Seeds noted that this is a good way for the Township to help the fire companies. Mr. Hawk called for a voice vote, and all five supervisors voted aye.

New Business

Ordinance 2006-09; Amending Ordinance 95-07 and allocating building permits in the Beaver Creek sanitary sewage drainage basin

Mr. Wolfe explained that the Board annually amends Ordinance 95-07, which is an allocation procedure for issuing building permits in the Beaver Creek Basin based upon the number of building permits that are available in the settlement agreement year. He noted that the total number of permits available is 72, and they are allocated with 54 available from July 1, 2006 through December 31, 2006, and 18 permits available from January 1, 2007 through March 31, 2007. Mr. Seeds questioned how many requests were made for building permits. Mr. Wolfe noted that he did not know the exact number, but the building permits are generally re-circulated when they are not used. Mr. Seeds noted that this is a typical average number for a year.

Mr. Crissman made a motion to adopt Ordinance 06-09; Amending Ordinance 95-07 and allocating building permits in the Beaver Creek sanitary sewage drainage basin. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and all five supervisors voted aye.

Municipal Planning Services Agreement for 2007 between the Township and the Dauphin County Planning Commission

Mr. Hawk noted that this agreement is signed annually between the Township and Dauphin County Planning Commission to pay for plan reviews. Mr. Wolfe noted that the Township has received excellent service from Mr. Charles Millard from the Dauphin County Planning Commission. Mr. Millard has been an active participant in the joint meetings held between the Board of Supervisors and the Planning Commission to complete the Township's New Zoning Ordinance. He requested the Board members to authorize the extension of the agreement for the 2007 calendar year.

Mr. Crissman made a motion to approve the Municipal Planning Services Agreement for 2007 between the Township and the Dauphin County Planning Commission. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and all five supervisors voted aye.

Preliminary/final resubdivision plan for Harrisburg Church of Christ

Ms. Moran explained that the Township has received a plan to re-subdivide the church property at 205 Miller Road and combine the two existing parcels into one. The property is zoned R-1, Low Density Residential District, and is located south of Jonestown Road. The property consists of 1.3244 acres and is served by public sewer and public water.

Ms. Moran explained that on October 11, 2006, the Planning Commission recommended the approval of the plan and waiver requests with the exception of the waiver for sidewalks along Miller Road.

Ms. Moran explained that there are six waivers, and seven general conditions which also include HRG's comments.

Ms. Moran noted that Mr. Jeffrey Staub from Dauphin Engineering Company is present to represent the plan.

Mr. Crissman noted that for waiver number two, no staff comment is listed to show support or non-support for the plan. Ms. Moran noted that staff would like to defer the installation of sidewalk on Miller Road until such time as there was construction proposed for this site or the adjacent properties. Mr. Hawk noted that the Police Department recommends the installation of sidewalks along Miller Road, however, the property does not extend to Route 22, therefore, there would be a significant portion of land that would not have sidewalks. Ms. Moran noted that the Long John Silver Restaurant and McDonalds properties have sidewalk, but the Wild Bird Feed Store and the former Sieg Coal property do not have sidewalks.

Mr. Hornung noted that the plan is presented only to erase a property line. He suggested if the owners come back with a building plan at some time in the future, then the Township could require the property owners to install the sidewalk. Ms. Moran noted that that was correct. Mr. Hornung questioned why the church was combining the tracts of land. Ms. Moran answered that she was told that it was done for tax purposes, and she was not aware of any plans for building at this time. Mr. Seeds noted that he had no problem with the other waivers, but he was indecisive regarding the sidewalk waiver. He noted that there is a residential area across the street that only has sidewalks for a certain distance, and he did not know when the sidewalks would be built in front of the Wild Bird Feed Store and the former coal business property. He noted that the Police Department recommends sidewalks for safety reasons. Mr. Hawk noted that the Planning Commission did not recommend the waiver for sidewalks either. He noted that Mr. Snyder suggested that the waiver could be granted until future on-site development occurs with a note added to the plan. Mr. Hawk questioned how this would be followed-up when development occurs. Mr. Snyder answered that it would be incumbent on himself or staff to find this when the church comes in with a building plan. Mr. Crissman questioned, if the waiver was granted now, would it be an automatic waiver when the church came back with a building plan. Mr. Snyder suggested that it would only apply to this plan. Mr. Hornung suggested that when construction occurs on either side of the road for that site, then the Church would have one year to install the sidewalks. Mr. Blain noted that there is a sidewalk installed to the north of the property therefore he suggested if the former coal storage property was developed, then the sidewalk would need to be installed. Mr. Crissman questioned if there was a small house next to the church. Ms. Wissler noted that there is a house, but it does not face Miller Road, it faces Fritchey Street. Mr. Seeds agreed that if the property to the north is developed, then the church would have a year to

construct sidewalks. Mr. Hornung noted that staff would typically look to adjoining properties when considering waivers for sidewalks.

Mr. Hawk made a motion to approve the Preliminary/final resubdivision plan for Harrisburg Church of Christ with the following listed waivers and general conditions, with the stipulation that sidewalks must be installed within one year from the time the northern adjacent property is developed or the church property is developed; 1) Waiver of the requirement to provide a preliminary plan; 2) Waiver of the requirement to provide sidewalk and curb along the frontage of Holbrook Street and sidewalk along Miller Road with the stipulation that sidewalks must be installed within one year from the time the northern adjacent property is developed or the church property is developed; 3) Waiver of the requirement to provide road widening along the frontages of Miller Road and Holbrook Street; 4) Waiver of the requirement to provide a stormwater management plan; 5) Waiver of the requirement to provide elevation contours for the project; 6) Waiver of the requirement to provide an erosion and sedimentation control plan; 7) Plan approval shall be subject to providing original seals and signatures on the plan; 8) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 9) Plan approval shall be subject to the payment of the engineering review fees; 10) Plan approval shall be subject to the Dauphin County Conservation District's review and approval of an E & S Control Plan (waiver granted); 11) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 12) Plan approval shall be subject to Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; and 13) Plan approval shall be subject to addressing all comments of Jim Snyder's memo dated October 25, 2006.

Mr. Crissman seconded the motion.

Mr. Crissman questioned Mr. Staub if he was in agreement with the six waivers and seven general conditions to include the seven comments made by Mr. Snyder in his letter of October 25, 2006. Mr. Staub answered that he was.

Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Preliminary /final land development plan for Candlewood Suites, New 93-Room Hotel

Mr. Moran noted that the purpose of the plan is to construct a three-story, 93-room hotel (49,908 square feet) hotel. The property is located on the northwest corner of the intersection of North Mountain Road and Lockwillow Avenue. There are no plans to access the hotel from Mountain Road; however, the proposed Lockwillow Avenue driveway will align with the Country Oven driveway on the opposite side of Lockwillow Avenue. The property is zoned CN, Commercial Neighborhood, consists of 4.331 acres, and will provide public sewer and public water.

Ms. Moran noted that on October 11, 2006, the Planning Commission recommended approval of the plan, and the applicant has requested three waivers, in addition to the one site condition, eight general conditions, and two staff comments.

Ms. Moran explained that Mr. Jeffrey Staub from Dauphin Engineering Company is present to represent the plan.

Mr. Seeds questioned if there were any Dauphin County comments. Ms. Moran explained that the Dauphin County comments were not included in the packet since Mr. Staub has already addressed those comments.

Mr. Crissman noted that there were 19 points in Mr. Snyder's memo dated November 2nd. He questioned if those points were met to the Township's satisfaction. Ms. Moran answered

numbers 11, 13, 14, and 17 require more action. She noted that Mr. Staub could speak to these points.

Mr. Hawk noted that at the end of comment number 14, there is an asterisk that states that the information has been provided. Ms. Moran noted that there is a small area that is adjacent to the resident district that Mr. Staub needs to provide further information to state that the light will not spill over into the residential area.

Mr. Hornung questioned if the wetland mitigation situation was resolved. Mr. Staub answered that it was not. He noted that he is in the process of securing a general permit for this, and is proposing a fee-in-lieu of wetland mitigation. He noted if the Department of Environmental Protection (DEP) doesn't accept this, then he will have to redesign the plan to allow an area to mitigate wetlands by the road crossing. He suggested that he would have to take the area where there is an above ground basin, eliminate it, and use it for wetland mitigation, and install the storm water detention facility underground. Mr. Hornung noted that Mr. Staub could accommodate an on-site solution.

Mr. Crissman requested Mr. Staub to address the outstanding issues listed in Mr. Snyder's memo. Mr. Staub noted that for comment number 11, he would put a additional trench detail on the plan; for comment number 14, he would shift the location of the light standard into the property line; for comment number 15, he noted if Mr. Snyder needs to have the manhole moved, he would work with the Sewer Authority to determine in which direction he should move the manhole covers; for comment number 17, he noted that there is an existing storm sewer that traverses the property, which comes from the Best Western site, as well as some additional drainage from Mountain Road and the I-18 ramp, which goes under Lockwillow Avenue, through the property, and connects to the storm sewer system on Scott Drive. Mr. Staub stated that he does not know how to address this issue or what to do to determine the capacity for the

pipe. He noted that this would require a lot of work to come up with a calculation, but the design of the stormwater detention system for the site provides for a higher post discharge as opposed to a pre-construction discharge which results in a decrease in the amount of water that will be discharged into the storm sewer. He noted if the analysis determined that the pipe is inadequate in size, he is not sure what he would do. He did not know to what extent the correction would need to be made up to Lockwillow Avenue. He questioned, since the developer was meeting the requirements of the Ordinance, he did not know how much of this is the responsibility of the developer. He noted that it is a difficult issue as it would require much field work to properly analyze the system, to determine the extent of the drainage area that goes to that pipe. He noted that he would need to survey the Best Western property, the restaurant next to it, and additional areas on Lockwillow Avenue near Mountain Road.

Mr. Hornung questioned if the post construction water discharge is only 50% of what is there now. Mr. Staub answered, on average, it is significantly less. Mr. Hornung noted that Mr. Staub was stating that the development would not aggravate the situation, but rather improve the situation. Mr. Staub answered that that is what his analysis is telling him. He noted that he is taking some of the water from the right-of-way on Lockwillow Avenue, and routing it through the basin. He noted that the basin is sized to take the additional water. Mr. Hornung noted that even though the pipe is inadequate now, that Mr. Staub is stating that it would be more adequate post construction. Mr. Staub answered that that is what his studies are telling him. He noted that he does not want to spend a lot of time to study the system to determine what the peak flows would be.

Mr. Seeds noted that this is the final plan. Mr. Staub noted that he would have to revise the plan in order to record the plan after Township review. Mr. Seeds noted that he is glad to know that there would be less water flow since there has been problems in the Lancaster Avenue

area, and that he did not want this plan to add to the problems in that area. He noted that he was aware of the location of where the water would flow on Scott Drive, and suggested that additional maintenance work needs to be done in that area.

Mr. Crissman questioned Mr. Snyder if Mr. Staub's comments were acceptable to him. Mr. Snyder noted that the detention basin is to be connected to the existing pipe, and he did not believe the existing water that flows from that side of the road would be caught up into that pipe at that point. He noted that his concern is that the Public Works Department informed him that the pipe is over-capacity and floods routinely. He suggested if a detention basin was connected into that pipe, then it may have an impact on the design of that facility. He noted, from an engineering standpoint, it needs to be checked to ensure that the basin design is proper and meets the ordinance. He noted that there is a required reduction in flow from that basin since it is part of the Paxton Creek basin, and he wants to ensure that the water that gets into the pipe can be conveyed properly. Mr. Staub noted that the 36-inch storm sewer is at capacity, and no flow is committed to discharge from the basin into that pipe. He noted that the size of the basin is such that it will handle the 25-year storm, and for the 100-year storm, it would use the emergency spillway. He noted if the basin outward structure was completely blocked in a 25-year storm event, there would be enough capacity to handle the three storm events, and still add a peak queue that leaves the basin at less than the pre-queue. He noted, if the times of concentration between the base discharge and the storm event makes the 36-inch pipe run full, there still is enough volume in the basin to store the designed storm event, and discharge at a rate less than is required. Mr. Snyder questioned Mr. Staub if it would be a zero discharge out. Mr. Staub answered yes. Mr. Snyder questioned where the water would go. Mr. Staub answered that it would not go anywhere, but would remain in the basin, noting that the basin could store the entire storm. Mr. Staub noted that this meets the DEP requirement, as well as their water quality

requirements. He noted that when the basins are built they are built much larger for erosion control. He noted that there is a lot of volume that can be taken advantage of to mitigate any problems that may exist with the existing storm sewer. Mr. Snyder requested that additional calculations be supplied to support this position. Mr. Staub noted that he could provide this information to Mr. Snyder. Mr. Seeds noted that number 17 would have to remain active until Mr. Snyder has verified the calculations.

Mr. Crissman suggested, that with the recorded testimony, that the Board could move forward with a motion that would include that there is still work to be done, but the testimony is clear that the parties will be able to resolve the issues. He noted that this testimony could be used in the future, if in fact, a conflict arose. He suggested that the four issues could be resolved. Mr. Snyder noted that he would be comfortable with this. Mr. Staub stated that he was too.

Mr. Seeds questioned if there would be sidewalk along Mountain Road. Mr. Staub answered that the new sidewalk will start beyond the driveway to Mountain Road to the Forte's Music property. He noted that there is a section of roadway along Mountain Road that will require a PENNDOT permit to add sidewalk.

Mr. Staub noted that he is open for any suggestions in regards to comment number 13. He noted that, the way he reads the ordinance requirements for shrubs and trees for a basin, he can't plant anything around the basin; therefore, he located those required trees and shrubs elsewhere on the site. He noted that he needs direction as to where to plant around the basin as requested by Ms. Moran. Mr. Seeds suggested that it could be done in such a manner that it would help to buffer the homes to the rear of the plan. Mr. Staub explained that he recently met with three residents.

Mr. Crissman questioned if the comments from Mr. Staub and Mr. Snyder are acceptable to Ms. Moran. Ms. Moran answered that they are, and the planting issues will be reviewed by Dr. Lacasse from the Shade Tree Commission who will provide suggestions.

Mr. Crissman questioned if Mr. Staub was in agreement with the three waivers, one site specific condition, and eight general conditions, to include item #11, 13, 14, and 17 from Mr. Snyder's letter. Mr. Staub answered that he was.

Mr. Hornung questioned what the traffic impact will be on the intersection of Lockwillow Avenue and Mountain Road. Mr. Staub answered that he could not be specific, but he had Mr. Grove complete a trip distribution analysis and it was somewhat less than what is required by ordinance to conduct a traffic impact study. He noted that this hotel is an "extended stay hotel," similar to the Resident's Inn in Swatara Township. He noted that all the units have a kitchenette and some are two bedroom units. He noted that the hotel appeals to a different clientele; therefore, that is the reason for the different peak times. He noted that the a.m. peak is 32 vehicles in, with 20 out; and the p.m. peak is 29 vehicles in, with 26 out. He noted that this is for the use classification number 310.

Mr. Blain questioned how the hotel would stay in business with such low numbers of vehicles in and out. Mr. Staub noted that the study only covers peak hours. Mr. Blain suggested that the count is very low. Mr. Wolfe noted that the intersection at Lockwillow Avenue and Mountain Road is problematic and it has been a high accident intersection. He noted that the Township has addressed timing measures, and added a strobe light to the northbound direction to alert traffic of the signal as they come off the Interstate ramp and bridge over I-81. He suggested that any additional traffic from the hotel could impact upon the intersection. He questioned if the hotel could review the impact upon the operation of the signal. Mr. Staub stated that he could pass this request along to the Mr. Patel, who currently is in Texas.

Mr. Wolfe noted if the Township had to extend the Lockwillow movement onto Mountain Road, then there would be less time to accommodate time on Mountain Road, and traffic on Mountain Road needs a significant yellow phase to guide against problematic cross movements. Mr. Staub noted that there is always a problem making a left turn northbound from Mountain Road since there is no protected left turn. He noted that 95% of the traffic would be coming from North Mountain Road from I-81. He suggested that the majority of traffic leaving the site would utilize the yield lane onto Mountain Road to I-81 or Route 22.

Mr. Hawk noted that the more the plan is discussed the more issues come up and he suggested that action be postponed on the plan until some of the issues are resolved. Mr. Staub noted that he could not guarantee that Mr. Patel would authorize additional studies, and it is not a requirement to do this for the hotel. Mr. Crissman noted that the Board has until January 8th to take action on the plan. Mr. Crissman suggested that Mr. Staub, Ms. Moran, and Mr. Snyder meet to clean up some of the issues to bring a cleaner plan to the Board. Mr. Blain noted that he would like to see more information on the traffic studies. He noted that the left-turn issue for Lockwillow Road is another issue he would like the applicant to address with the Township since he would be benefiting from the development. Mr. Seeds agreed also, and stated that he has stayed at those types of places, and he did not eat in noting that it does not cut down on the number of trips. Mr. Seeds suggested that the provided numbers sounded low. Mr. Staub noted that the numbers are received from the manual that is updated periodically. Mr. Bain noted that it does not make sense that there would only be 32 trips in the morning for a 93-unit hotel. He suggested that the majority of the people staying at these types of hotels are business people. Mr. Staub noted that the current SALDO does not require a traffic impact study unless a level of a 100 trips per peak hour are reached and he stated that the traffic counts are at 30 trips. Mr. Wolfe noted that he was not requesting a traffic impact study, but the property fronts on a problematic

intersection, and he wanted to know how this development would affect the intersection. Mr. Staub noted that he would relay these requests to Mr. Patel who also owns the Best Western Hotel across the street.

Mr. Hornung suggested that the plan could be brought back to the next business meeting. Mr. Staub noted that it would give him more time to address the outstanding issues.

Preliminary/final land development plan for Townes at Autumn View

Ms. Wissler explained that the purpose of this plan is to obtain Preliminary/Final Land Development approval for a proposed (18) unit townhome community. The property is a 3.61 acre tract of R-2 zoned land located on the east side of Griffin Street between Warren Avenue and Jerome Boulevard. The community will be a condominium development composed of one (1) single lot held in common ownership. The proposed street and stormwater facilities will be privately owned and maintained by the Autumn View Condominium Association. All units shall be served by public sewer and public water. The applicant is proposing to pay fee-in-lieu of land dedication.

Ms. Wissler noted that on October 11, 2006 the Planning Commission recommended approval of the plan subject to addressing the comments generated by Township Staff, the Township Engineer, and Dauphin County Planning Commission. The Commission also recommended approval of the requested ten waivers. She noted that there are also four site specific comments, seven general comments, and two staff comments.

Ms. Wissler noted that Tim Mellott and Charles Courtney are present on behalf of the plan.

Mr. Crissman questioned if ten waiver requests were submitted due to the nature of the plan. Ms. Wissler answered that some of the waivers are for private streets, and for a different

type of inlet that Mr. Mellott has requested. Ms. Wissler noted that there is very little frontage to this property.

Mr. Seeds noted that the Dauphin County Planning Commission (DCPC) comments are not included in the packet. Ms. Wissler noted if DCPC's comments are addressed, they are not included in the Board's packets. Mr. Seeds noted that he would like them included since he would like to read them.

Mr. Crissman questioned if the fourteen points listed in Mr. Snyder's letter have been addressed. Ms. Wissler noted that the first ten points are a recounting of the waivers, and Mr. Mellott noted that he is waiting for the NPDES permit. Ms. Wissler noted that the fourteen points have been addressed.

Mr. Mellott noted that two of the requested waivers are directly related to using slant curb for the townhome development due to the number of driveways in close proximity to each other. He noted that when a slant curb is used, the type of inlet top has a slant curb top which also requires a waiver. He noted that the new NPDES Phase II requirements for Dauphin County prefer a flatter bottom basin to promote more infiltration in lieu of low flow channels and underdrain.

Mr. Mellott noted that the frontage is limited and he is requesting a waiver from the widening and curbing of existing abutting streets. In addition, he could not meet the 40-foot requirement of separation of the intersection from a driveway. He noted that the plan does not meet the minimum 400-foot requirement for street intersection separation, but it does meet the sight distance requirements. He noted that the Association will own the streets, thus the reason for the request of a waiver from the preliminary plan requirement, and, he is proposing that sidewalk be constructed on only one side of the street since the houses are only located on one side of the street.

Mr. Mellott explained that the right-of-way for Griffin Street, along the frontage, is variable, and the only portion that is not within the minimum requirements is a small portion shown in red on the plan. Mr. Seeds noted that Mr. Mellott was asking for a waiver from 18 inches to 15 inches. Mr. Mellott explained that he proposes to collect all the stormwater, construct a storm sewer, and tie it into the existing storm sewer at the intersection of Jerome Boulevard and Griffith Street. He noted that the inlet that he intends to tie into is a shallow inlet so he can't provide the amount of cover over the top of the pipe that he would like, and could not meet 18-inch pipe size, therefore, it would be better to have more cover over the pipe. Mr. Seeds questioned what the size of the pipe is. Mr. Mellott answered that it is 18 feet, without the proper cover. Mr. Seeds questioned if 15 feet would be adequate. Mr. Mellott answered that it would be.

Mr. Crissman noted that staff supports all ten waivers.

Mr. Mellott noted that in response to the comments from HRG, Inc., comment number 11, the sewage planning module is in process, and comment number 12, regarding a letter of intent to provide public water is a new requirement that he will provide to the Township. Mr. Mellott noted that he provided a letter of ability to serve, with his first submission. Mr. Snyder noted that he missed that and that would suffice. Mr. Mellott noted that he has received an approval letter from the Sewer Authority, and the NPDES permit is still pending.

Mr. Crissman questioned if Mr. Mellott accepted the ten waivers, and four site specific comments to include the HRG, Inc. letter dated November 3, 2006, the seven general conditions, and two staff comments. Mr. Mellott answered that he was in agreement to all of the above.

Mr. Crissman made a motion to approve the preliminary/final land development plan for Townes at Autumn View with the following waivers and conditions; 1) Low Flow Channel and basin under drain required in basins; 2) A 18" minimum storm pipe size for public sewer. A 15"

HDPE storm pipe along/under Griffin Street to an existing inlet at the intersection of Griffin Street and Jerome Boulevard is proposed; 3) Type “C” inlet grates required in streets. Slant curb inlet tops are proposed in the private street; 4) Vertical curb required for streets. Slant curb is proposed for the private street; 5) Dedication of right-of-way for existing abutting streets; 6) Curbing and widening of existing abutting streets, proposing to widen Griffin Street at the private street entrance; 7) 400’ minimum street intersection separation. The proposed private street intersection is 202’ away from the Warren Avenue intersection; 8) Waiver of the requirement that driveways shall be located not less than 40 feet from an intersection; 9) Waiver of the preliminary plan requirement; 10) Waiver of sidewalk requirement for minor streets, 11) Please label the concrete reference monument located at the southwest corner of the tract; 12) Label sheets to be recorded with a similar statement, such as Sheet # of # for recording. Only Sheets #1 and #3 will be recorded; 13) A condominium residential development may include more than one principal building per lot, provided all other requirements of this Ordinance are met. A condominium form of ownership of individual dwelling units, with a legally binding homeowners association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that there will be appropriate legal mechanisms in place and compliance with applicable State Law; 14) Plan approval shall be subject to addressing HRG’s comments dated November 3, 2006; 15) Plan approval shall be subject to providing original seals and signatures; 16) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 17) Plan approval shall be subject to the Dauphin County Conservation District’s review of the E & S Control Plan; 18) Plan approval shall be subject to Lower Paxton Township Sewer Department’s review and approval of the sanitary sewer design; 19) Plan approval shall be subject to DEP’s approval of a sewage facilities planning module; 20) Plan approval shall be

subject to the payment of engineering review fees; 21) Plan approval shall be subject to the payment of fee-in-lieu for 18 units at \$2,300.00 per unit; 22) All proposed site signage, including construction signs, shall comply with the Lower Paxton Township Zoning Ordinance; and 23) A Street/Storm Sewer Construction Permit is required.

Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Final subdivision plan for Kendale Oaks, Phase V

Ms. Wissler explained that the plan for Phase V proposes to develop approximately 19.5088 acres of land into 34 single-family lots. The tract is zoned R-1, Low Density Residential District and will be served by public sewer and public water. Phase V is located east of Conway Road.

Ms. Wissler noted that the Preliminary Subdivision Plan of Kendale Oaks was approved with the following waivers: 1) Waiver of the minimum intersection separation distance; 2) Waiver of the widening, curbing and sidewalk along the Nyes Road frontage; 3) Waiver of the curb and sidewalk along Conway Road; 4) Waiver of the maximum allowable cul-de-sac length and maximum number of dwelling units served; 5) Waiver of the curbing design standards and allowing slant curbs; 6) Waiver of the street width requirements (street width to be 30'); and 7) Waiver of the requirement that the sight distance of a vertical curve be 200 feet and waiver of the separation distances from intersections and catch basins were approved for Phases II and III.

Ms. Wissler noted that on October 11, 2006, the Planning Commission recommended approval of the plan subject to addressing the comments generated by Township Staff, Township Engineer, and Dauphin County Planning Commission.

Ms. Wissler noted that Mr. Staub and Mr. Zimmerman are present to represent the plan.

Mr. Crissman questioned if the developer has addressed the four comments from Mr. Snyder dated October 25, 2006. Ms. Wissler answered that only comment number four needs to be addressed.

Mr. Staub noted that, regarding the grading easement, the approval was obtained for the area during Phases II and III two years ago. He noted that this has already been taken care of.

Mr. Crissman questioned Mr. Staub if he was in agreement with the two site specific conditions; to include the four comments made by Mr. Snyder dated October 25, 2006; five general conditions, and two staff comments. Mr. Staub answered that he was in agreement with the conditions.

Mr. Crissman made a motion to approve Final subdivision plan for Kendale Oaks, Phase V with the following conditions; 1) All conditions of the preliminary plan shall be complied with; 2) Show the location of all existing and proposed fire hydrants; 3) Plan approval shall be subject to addressing the comments listed in HRG's memo dated October 25, 2006; 4) Plan approval shall be subject to providing original seals and signatures on the plan; 5) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; 6) Plan approval shall be subject to the payment of the engineering review fees; 7) Plan approval shall be subject to the Dauphin County Conservation District's review and approval of an E & S Control Plan; 8) Plan approval shall be subject to the review and approval of sanitary sewer construction drawings by Lower Paxton Township Authority; 9) Plan approval shall be subject to the payment of fee-in-lieu for 34 lots at \$989.00 per lot; 10) A Street/Storm Sewer Construction Permit is required for construction of streets and storm water facilities; and 11) All signage must meet the requirements of the Lower Paxton Township Zoning Ordinance. Permits are required for all signage, including construction signs identifying developers, financial institutions, etc.

Mr. Blain seconded the motion. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Crissman, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

IMPROVEMENT GUARANTEES

Mr. Hawk noted that there were three Improvement Guarantees.

Kendale Oaks, Phases II & III

A reduction in a bond with Hartford Fire Insurance Company in the amount of \$188,515.25 with an expiration date of February 14, 2007.

Shoppes at Colonial Road

An extension and increase in an escrow account with Lower Paxton Township in the amount of \$3,630.00 with an expiration date of November 6, 2007. The date was changed to May 31, 2007.

Woodvale Development

A release in a letter of credit with Pennsylvania State Bank in the amount of \$3,393.73.

Mr. Hornung suggested that the time period for the Shoppes at Colonial Road should not extend until November 6, 2007. He noted that most of the remaining work is erosion control and should be installed in the immediate future. He noted that the seeding work would need to wait until the next planting season. Mr. Blain suggested that the expiration date be changed to May 31, 2007.

Mr. Crissman made a motion to approve the four listed Improvement Guarantee as presented with the noted changed to the expiration date for the Shoppes at Colonial Road. Mr. Blain seconded the motion, and a unanimous voice vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Hawk seconded the motion, and a unanimous vote followed.

Adjournment

There being no further business, Mr. Crissman made a motion to adjourn the meeting.
Mr. Blain seconded the motion and the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary

Approved by:

Gary A. Crissman
Township Secretary